



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/982,211	10/17/2001	James Shuder	SUN-P6552 US/NC	7395

7590 08/11/2004

ROBERT C. KOWERT
MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C.
P. O. BOX 398
AUSTIN,, TX 78767-0398

EXAMINER

JASMIN, LYNDIA C

ART UNIT	PAPER NUMBER
----------	--------------

3627

DATE MAILED: 08/11/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/982,211

Applicant(s)

SHUDER ET AL

Examiner

Lynda Jasmin

Art Unit

3627



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 October 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Huff et al. (4,383,298).

Huff et al. discloses the system and method as claimed having

A system comprising: a computer implemented procurement module (via online CRT “smart” terminals 50) for processing both purchase order requisitions for goods and timecard information for services, the procurement module including a buyer module for receiving information related to contractor services and for generating an electronic timecard in response thereto (via maintenance analysis system; col. 6, line 46 through col. 7, line 10), and a timecard module receiving electronic timecards from the buyer module and for generating a purchase order based on approved electronic timecards, the purchase order for use in generating a payment for the contractor services (via SUBMOD that generates labor time card, purchase orders, the repair history cards, the actual

job scheduling and working being indicated in stage 20 in the flow chart of FIG.

1).

3. Claims 1-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Haney (2001/0051889 A1).

Huff et al. discloses the system and method (10) as claimed having a computer implemented procurement module (via organization 20) for processing both purchase order requisitions for goods and timecard information for services (see page 2, box [0021]), the procurement module including a buyer module (via requesting manager computer 22) for receiving information related to contractor services (via candidate's services) and for generating an electronic timecard in response thereto (see page 2, box [0022]), and a timecard module (via contract computer 28) receiving electronic timecards from the buyer module and for generating a purchase order based on approved electronic timecards (box [0025]), the purchase order for use in generating a payment for the contractor services (via submitting an invoice to organization 20).

Haney further discloses a workflow module (via estimated work hours and overtime hours) coupled to the timecard module for use in allowing an approver (resource approver) to approve and decline the electronic timecards (see box [0025]). Further, the timecard module generates an approval notification in response to receiving an electronic timecard from the buyer module (see box 0026)). The approval notification is an electronic mail message having an approval form readable by the workflow module (via a CLR form), the electronic mail message transmitted to an approver related to the contractor services (see

box [0026]). The approval form is readable by an electronic mail program and is returned to the computer implemented procurement system after being completed by the approver (see boxes [0028-0031]). The buyer module is browser based (GUI) and wherein the procurement module is hosted on a remote server system (via communication network 30). the computer implemented procurement system (via organization 20) further includes an external report generating module for generating information to be used by external applications and wherein the information is formatted using XML data (see box [0036]). The electronic timecard further includes a plurality of line items describing the contractor services (via presenting resumes information) having a contractor identification, a description of services rendered, an amount of hours performed for the services rendered, an hourly rate for said hours, and subtotals representing the amount of hours by the hourly rate (as illustrated in Figure 6). The timecard module includes a contractor profile for a contractor, the contractor profile including contractor identification, authorized projects for the contractor, authorized work types for the contractor, an authorized hourly rate for the contractor, and an approver for the contractor (as illustrated in Figure 4; see boxes [0049-0051]). The electronic timecard comprises a plurality of line items and wherein the approval notification comprises information from the electronic timecard and an accounting code associated with each line time of said electronic timecard (via field 614-616; as illustrated in the timesheet form Figure 6).

Conclusion

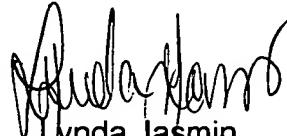
4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Cornett et al. (5,216,612) discloses an intelligent computer integrated maintenance system including a maintenance operations computer controller and a maintenance scheduling management subsystem. Norton et al. (2002/0052801 A1) discloses an asset management for supply chains, which hosted an asset procurement system. Zaks et al. (2003/0078798 A1) discloses a maintenance management computer system for handling payroll, billing, maintenance needs, purchasing, inventory etc., various modules that work together to manage all aspects of a maintenance facility' work orders.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lynda Jasmin whose telephone number is (703) 305-0465. The examiner can normally be reached on Monday- Friday (8:00-5:30) alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert P Olszewski can be reached on (703) 308-5183. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 3627

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

 8/6/04
Lynda Jasmin
Primary Examiner
Art Unit 3627

lj